

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	
	:	CRIMINAL NO. 17-60
v.	:	(JUDGE MANNION)
KELLY BRADY,	:	
Defendant	:	
	:	

ORDER

Based on the court's memorandum issued this same day, **IT IS
HEREBY ORDERED THAT:**

- (1)** The defendant Kelly Brady's Motion for Immediate Release to Home Confinement, **(Doc. 58)**, is construed as an emergency petition for writ of habeas corpus pursuant to 28 U.S.C. §2241.
- (2)** The clerk of court is directed to docket Brady's Doc. 58 motion as a §2241 habeas petition and to assign it a separate civil number. Due to the immediate request for relief sought, the clerk of court is directed forgo the thirty-day administrative order requiring Brady to pay the filing fee for a habeas petition, as that can be addressed in the proper jurisdictional court.

(3) The clerk of court is then directed to forthwith transfer Brady's habeas petition to the U.S. District Court for the District of Connecticut.

(4) To the extent Brady's Doc. 58 motion could be alternatively construed as a motion for compassionate release, it is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction since she has failed to comply with §3582(c)(1)(A)'s exhaustion requirement.

s/ Malachy E. Mannion

**MALACHY E. MANNION United
States District Judge**

DATE: April 14, 2020

17-60-01